

MANUEL VEGA REYES VERSUS ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC., CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, RENILDO MARQUEZ, and UNITED SPECIALTY INSURANCE COMPANY		16TH JUDICIAL DISTRICT COURT PARISH OF ST. MARTIN STATE OF LOUISIANA DOCKET NO.: 9/19/6
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FAX FILED
ON: 6/29/22

PETITION FOR DAMAGES

The petition of **MANUEL VEGA REYES**, a person of the full age of majority, being domiciled and residing in Guanajuato, Mexico, who with respect represents that the below allegations are made upon information and belief (unless the context indicates otherwise), that they are set out in the following non-exclusive particulars and if inconsistent, plead in the alternative, and plaintiff does hereby plead the doctrine of negligence and all other theories of recovery as appropriate under the circumstances, including any aggravation of a pre-existing condition:

1.

Made defendant herein is **ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC.**, a foreign insurance corporation, authorized to do and doing business in the State of Hawaii, which may be served through its agent for the service of legal process, Scot Sterenberg, 745 Fort Street, Suite 1100, Honolulu, Hawaii 96813 via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

2.

Made defendant herein is **CAMAS CARRIER, LLC**, a Limited Liability Company, authorized to do and doing business in the State of Texas which may be served through its agent for the service of legal process, Francisco Camas, 228 Rentz Place Circle, Weatherford, Texas 76086, via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

3.

Made defendant herein is **POSITIVE TRANSPORT SOLUTIONS, LLC**, a Limited Liability Company, authorized to do and doing business in the State of Texas which may be served through its agent for the service of legal process, Farah A. Ramzy, Sr., 9600 Forest Lane, #2102, Dallas, Texas 75243, via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.



4.

Made defendant herein is **RENILDO MARQUEZ**, a person over the full age of majority, domiciled and residing at 15601 137TH Avenue, Apt. 20, Miami, Florida 33177, who may be served at his place of residence, via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

5.

Made defendant herein is **UNITED SPECIALTY INSURANCE COMPANY**, a foreign insurance corporation, authorized to do and doing business in the State of Louisiana which may be served through its agent for the service of legal process, The Honorable Kyle Ardoin, Louisiana Secretary of State, 8585 Archives Boulevard, Baton Rouge, Louisiana 70809.

6.

This is a civil action to recover all damages sustained by your petitioner for personal injuries and other injuries against the above named defendants, **ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC., CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, RENILDO MARQUEZ, AND UNITED SPECIALTY INSURANCE COMPANY** (sometimes hereinafter referred to collectively as "defendants"), each of whom are liable jointly, individually and in solido unto your petitioner in a sum of damages as is reasonable in the premises, together with legal interest thereon from and after the date of judicial demand, until paid and for all costs of these proceedings, for the following, to-wit:

7.

Petitioner alleges upon information and belief that on or about July 16, 2021, your petitioner, **MANUEL VEGA REYES** was resting in a 2016 Peterbilt Tractor Trailer and was parked at the Pilot Travel Center near I-10 in the Parish of St. Martin, State of Louisiana. Without warning, a 2000 FRHT Tractor Trailer owned by **CAMAS CARRIER, LLC** and/or **POSITIVE TRANSPORT SOLUTIONS, LLC** and operated by **RENILDO MARQUEZ**, was pulling around the parking lot and violently struck Petitioner's parked vehicle causing him to be thrown to the floor from his bunk, thereby causing damages complained of herein.

8.

Petitioner alleges upon information and belief that at the time of the said accident, **ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC.**, issued a policy of automobile insurance insuring **CAMAS CARRIER, LLC, POSITIVE TRANSPORT**

SOLUTIONS, LLC, RENILDO MARQUEZ, and/or the 2000 FRHT Tractor Trailer, for all liability arising out of the negligent operation referred to above.

9.

Petitioner alleges upon information and belief that at the time of the accident, there was in full force and effect a policy or policies of uninsured/underinsured motorist insurance, which was issued by the defendant, **UNITED SPECIALTY INSURANCE COMPANY**, under the terms of which the defendant agreed to insure and indemnify the named insured, **RODA EXPRESS LOGISTICS, LLC**, or the driver thereof, for uninsured/ underinsured motorist coverage as provided therein. Further, upon information and belief, it is believed by the party hereto that there may be inadequate insurance coverage in force and effect for the defendants, **CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, and/or RENILDO MARQUEZ**, to cover the injuries and damages of your petitioner and as such, petitioner avails himself of the provisions of the appropriate statutes of the State of Louisiana, which provide in substance that if the contract of liability insurance issued in favor of **CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, and/or RENILDO MARQUEZ**, is inadequate or if there was no insurance in favor of defendants, **CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, and/or RENILDO MARQUEZ**, to cover the damages of **MANUEL VEGA REYES**, then said **CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, and/or RENILDO MARQUEZ**, pursuant to said statutes, becomes uninsured motorists for all sums for which they are liable above the coverage, if any, and as such, petitioner alleges that he has a direct cause of action against **UNITED SPECIALTY INSURANCE COMPANY** under the uninsured motorist provision of the aforesaid contract of insurance with that insurance company for all damages in this instance.

10.

Petitioners allege upon information and belief that the accident and resulting damages were directly and proximately caused by the following acts of negligence on the part of the defendant, **RENILDO MARQUEZ**, particularly, but not exclusively in the following respects:

- a. Failing to maintain proper control over his vehicle;
- b. Failing to maintain a proper lookout;
- c. Driving recklessly and carelessly without regard to the rights and safety of others;
- d. Being inattentive and distracted while operating a motor vehicle;
- e. Failing to see what should have been seen; and,

f. Any and all other acts of negligence which may be proven at the trial of this matter.

11.

It is alleged that, at this time, as a result of the aforescribed accident due to defendant's negligence your petitioner, **MANUEL VEGA REYES**, has suffered severe pain in his neck, back, shoulders, head, arms, leg, feet and abdomen, to the extent that petitioner is caused continuous and severe pain and suffering, resulting in medical expenses, and other damages.

12.

Petitioner, **MANUEL VEGA REYES**, allege upon information and belief that as a result of the aforescribed accident and believed injuries, he sustained and will continue to sustain mental and physical pain and suffering, disability, embarrassment, humiliation, medical expenses, and/or impairment to earning capacity, and property damages for which he is entitled to recover a sum of damages as is reasonable in the premises.

13.

Petitioner alleges upon information and belief that it will be necessary to present expert testimony during the preparation for and trial on the merits of this case and as such, desire that all such expert witness fees and deposition costs be taxed as court costs and assessed against the said defendants.

WHEREFORE, petitioner, **MANUEL VEGA REYES**, prays that:

- 1) Defendants, **ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC., CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, RENILDO MARQUEZ, AND UNITED SPECIALTY INSURANCE COMPANY** be duly served with a copy of this Petition for Damages and cited to appear herein and answer same;
- 2) After the lapse of all legal delays and due proceedings are had, there be judgment herein in favor of petitioner, **MANUEL VEGA REYES**, and against the defendants, **ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC., CAMAS CARRIER, LLC, POSITIVE TRANSPORT SOLUTIONS, LLC, RENILDO MARQUEZ, AND UNITED SPECIALTY INSURANCE COMPANY** in an amount of damages as is reasonable in the premises for compensatory damages, together with legal interest from and after the date of judicial demand, until paid and for all costs of these proceedings including the fees of expert witnesses; and,

- 3) For all orders and decrees necessary in the premises, for all costs of these proceedings and for full, general, and equitable relief.

By his attorneys,

BART BERNARD LAW FIRM

BY: 

Bart Bernard, Bar Roll #23649
Carl Rachal, Bar Roll #24731
1031 Camellia Blvd.
Lafayette, LA 70508
(337) 900-9000 Telephone
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bart@bartbernard.com
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PLEASE SERVE:

ALPINE TRANSPORTATION INSURANCE RISK RETENTION GROUP, INC.

Through its registered agent for the service of legal process
Scott Sterenberg
745 Fort Street, Suite 1100
Honolulu, Hawaii 96813
via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

CAMAS CARRIER, LLC

Through its registered agent for the service of legal process
Francisco Camas
228 Rentz Place Circle
Weatherford, Texas 76086
via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

POSITIVE TRANSPORT SOLUTIONS, LLC

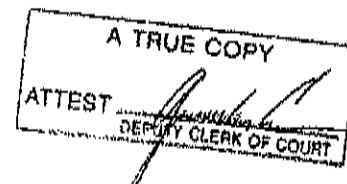
Through its registered agent for the service of legal process
Farah A. Ramzy, Sr.
9600 Forest Lane, #2102
Dallas, Texas 75243
via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

RENILDO MARQUEZ

15601 137th Avenue, Apt. 20
Miami, Florida 33177
via the Louisiana Long-Arm Statute L.A.R.S. 13:3201, et seq.

UNITED SPECIALTY INSURANCE COMPANY

Through its registered agent for the service of legal process
The Honorable Kyle Ardoin
Louisiana Secretary of State
8585 Archives Boulevard,
Baton Rouge, Louisiana 70809



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DEPUTY CLERK OF COURT
ST. MARTIN PARISH